

23-002690

USA_00000149

<p><small>File No.</small></p> <div style="border: 1px solid black; padding: 5px; text-align: center; font-weight: bold; margin: 5px 0;">SEARCH WARRANT</div> <p style="text-align: center; font-weight: bold;">IN THE MATTER OF</p> <p>430 S Center St Hickory NC 28602</p> <p><small>Name Of Applicant</small> T. JOHNSON</p> <p><small>Name Of Additional Affiant(s)</small></p>		<div style="text-align: center; font-weight: bold; margin-bottom: 10px;">STATE OF NORTH CAROLINA</div> <div style="display: flex; justify-content: space-between;"> CATAWBA County In The General Court Of Justice District/Superior Court Division </div> <p>To any officer with authority and jurisdiction to conduct the search authorized by this Search Warrant:</p> <p>I, the undersigned, find that there is probable cause to believe that the property and person described in the application on the reverse side and related to the commission of a crime is located as described in the application.</p> <p>You are commanded to search the premises, vehicle, person and other place or item described in the application for the property and person in question. If the property and/or person are found, make the seizure and keep the property subject to Court Order and process the person according to law.</p> <p>You are directed to execute this Search Warrant within forty-eight (48) hours from the time indicated on this Warrant and make due return to the Clerk of the Issuing Court.</p> <p>This Search Warrant is issued upon information furnished under oath or affirmation by the person(s) shown.</p>																					
<div style="border: 1px solid black; padding: 2px; font-weight: bold; text-align: center;">RETURN OF SERVICE</div> <p>I certify that this Search Warrant was received and executed as follows:</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;"><small>Date Received</small> 4/16/23</td> <td style="width:50%;"><small>Time Received</small> 4:38 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM</td> </tr> <tr> <td><small>Date Executed</small> 4/16/23</td> <td><small>Time Executed</small> 4:55 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM</td> </tr> </table> <p><input checked="" type="checkbox"/> I made a search of <u>430 S Center St, Hickory</u></p> <p>_____ as commanded.</p> <p><input checked="" type="checkbox"/> I seized the items listed on the attached inventory.</p> <p><input type="checkbox"/> I did not seize any items.</p> <p><input type="checkbox"/> This Warrant WAS NOT executed within forty-eight (48) hours of the date and time of issuance and I hereby return it not executed.</p>		<small>Date Received</small> 4/16/23	<small>Time Received</small> 4:38 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	<small>Date Executed</small> 4/16/23	<small>Time Executed</small> 4:55 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%;"><small>Date Issued</small> 4-6-23</td> <td style="width:25%;"><small>Time Issued</small> 4:38 <input checked="" type="checkbox"/> AM <input checked="" type="checkbox"/> PM</td> <td style="width:40%;"><small>Name (type or print)</small> S. Roberts</td> <td style="width:10%;"><small>Signature</small> </td> </tr> <tr> <td colspan="4"> <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> CSC <input checked="" type="checkbox"/> Magistrate <input type="checkbox"/> District CL Judge <input type="checkbox"/> Superior CL Judge </td> </tr> </table> <p>NOTE: When issuing a search warrant, the issuing official must retain a copy of the warrant and warrant application and must promptly file them with the clerk. G.S. 15A-245(b).</p> <p>This Search Warrant was delivered to me on the date and at the time shown below when the Office of the Clerk of Superior Court is closed for the transaction of business. By signing below, I certify that I will deliver this Search Warrant to the Office of the Clerk of Superior Court as soon as possible on the Clerk's next business day.</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%;"><small>Date</small> 4-25-23</td> <td style="width:25%;"><small>Time</small> 10:40 <input type="checkbox"/> AM <input type="checkbox"/> PM</td> <td style="width:40%;"><small>Name Of Magistrate (type or print)</small> J. Wood</td> <td style="width:10%;"><small>Signature Of Magistrate</small> </td> </tr> </table> <p>This Search Warrant was returned to the undersigned clerk on the date and time shown below.</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%;"><small>Name Of Officer Making Return (type or print)</small> T. JOHNSON</td> <td style="width:25%;"><small>Signature Of Officer Making Return</small> </td> <td style="width:25%;"><small>Name Of Clerk (type or print)</small></td> <td style="width:25%;"><small>Signature Of Clerk</small></td> </tr> </table>		<small>Date Issued</small> 4-6-23	<small>Time Issued</small> 4:38 <input checked="" type="checkbox"/> AM <input checked="" type="checkbox"/> PM	<small>Name (type or print)</small> S. Roberts	<small>Signature</small> 	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> CSC <input checked="" type="checkbox"/> Magistrate <input type="checkbox"/> District CL Judge <input type="checkbox"/> Superior CL Judge				<small>Date</small> 4-25-23	<small>Time</small> 10:40 <input type="checkbox"/> AM <input type="checkbox"/> PM	<small>Name Of Magistrate (type or print)</small> J. Wood	<small>Signature Of Magistrate</small> 	<small>Name Of Officer Making Return (type or print)</small> T. JOHNSON	<small>Signature Of Officer Making Return</small> 	<small>Name Of Clerk (type or print)</small>	<small>Signature Of Clerk</small>
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<small>Department/Agency Of Officer</small> HICKORY PD	<small>Incident Number</small> 23-002690	<small>Date</small>	<small>Time</small> <input type="checkbox"/> AM <input type="checkbox"/> PM	<small>Name Of Clerk (type or print)</small>	<small>Signature Of Clerk</small>	<input type="checkbox"/> Dep. CSC <input type="checkbox"/> Asst. CSC <input type="checkbox"/> CSC																	

APPLICATION FOR SEARCH WARRANT

I, INV. T. D. JOHNSON

(Insert name and address; or if law enforcement officer, name, rank and agency)

being duly sworn, request that the Court issue a warrant to search the person, place, vehicle, and other items described in this application and to find and seize the property and person described in this application. There is probable cause to believe that (Describe property to be seized; or if search warrant is to be used for searching a place to serve an arrest warrant or other process, name person to be arrested)
SEE ATTACHED

constitutes evidence of a crime and the identity of a person participating in a crime, (Name crime) ASSAULT WITH A DEADLY WEAPON

and is located (Check appropriate box(es) and fill in specified information)

☒ in the following premises (Give address and, if useful, describe premises)
SEE ATTACHED

(and)

☐ on the following person(s) (Give name(s) and, if useful, describe person(s))
N/A

(and)

☒ in the following vehicle(s) (Describe vehicle(s))
SEE ATTACHED

(and)

☒ (Name and/or describe other places or items to be searched, if applicable)
SEE ATTACHED

The applicant swears or affirms to the following facts to establish probable cause for the issuance of a search warrant:
SEE ATTACHED

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date

Date

4/6/23

Name Of Applicant (type or print)

T. JOHNSON

Signature

[Signature]

Signature Of Applicant

[Signature]

☒ Magistrate ☐ Dep. CSC ☐ Asst. CSC ☐ Clerk Of Superior Court ☐ Judge

☐ In addition to the affidavit included above, this application is supported by additional affidavits, attached, made by _____

☐ In addition to the affidavit included above, this application is supported by sworn testimony, given by _____

This testimony has been (check appropriate box) ☐ reduced to writing
☐ recorded, and I have filed any such writing/recording with the clerk.

NOTE: If more space is needed for any section, continue the statement on an attached sheet of paper with a notation saying "see attachment." Date the continuation and include on it the signatures of applicant and issuing official.

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

IN THE DISTRICT COURT OF JUSTICE
DISTRICT COURT DIVISION

IN THE MATTER OF

ATTACHMENT #1

430 S Center St
Hickory NC 28602

ITEMS TO BE SEIZED

Cellular telephones, personal communication devices, U.S. Currency, any and all weapons any other firearms, ammunition (fired or unfired), shell casings, pictures, video, still pictures to preserve the nature of the room; any and all hand written documents, documentary evidence indicating ownership, possession and control of the residence; any and all controlled substances, used/ unused drug paraphernalia.

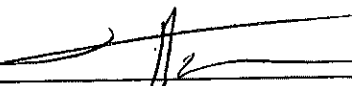
ITEMS TO BE SEARCHED

The residence of 430 S Center St, Hickory NC 28602. Any and all outbuildings and vehicles on the property. Officers are standing by at the residence.

Sworn and Subscribed Before Me
On 04/06/2023



MAGISTRATE/JUDGE
State of North Carolina
County of Catawba



AFFIANT
Inv. T. Johnson
Hickory Police Department
Hickory, North Carolina
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STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

IN THE DISTRICT COURT OF JUSTICE
DISTRICT COURT DIVISION

IN THE MATTER OF

430 S Center St
Hickory NC 28602

STATEMENT OF PROBABLE CAUSE

ATTACHMENT #2

This AFFIANT swears to the following facts to establish probable cause for the issuance of a search warrant:

I, the undersigned, Investigator Tammie D. Johnson, have been a law enforcement officer for over eight years with the Hickory Police Department. I am currently assigned to the Criminal Investigations Division and was formerly assigned in the Patrol Division to the area of Southeast Hickory which is referred to as Charles PACT. In 2005, I graduated from Lenoir-Rhyne College with a Bachelor's degree. In 2012, I graduated with my Basic Law Enforcement Certification from Caldwell County Technical Community College with over 585 hours of training. In 2019, I received my Intermediate Law Enforcement certificate from the North Carolina Criminal Justice Education and Training Standards Commission. During my time as a police officer, I have worked on numerous cases including, but not limited to, homicides, robberies, rapes, arsons, burglaries, larcenies, assaults, controlled substance violations, and breaking and enterings.

That this investigation involves probable cause to believe that on Thursday, April 6, 2023 at approximately 03:30 pm, Officer with the Hickory Police Department received a call for service in reference to a male with a single gunshot wound to the leg at 430 S Center St, Hickory, NC. There was blood in the sidewalk where he was laying.

When Officers arrived on scene, they located Javario Davon Robinson (B/M, DOB 09/11/1986) on the sidewalk in front of his residence 430 S Center St. Robinson was transport and then flown to a hospital. When Officer attempted to secure the residence, Robinson's father who is heavily intoxicated slammed and locked the door. Officers force entry to secure the residence.


A neighbor told Officers that she heard yelling and arguing coming from 430 S Center St and then heard one gunshot.

Javario Robinson has been charged several times for narcotics in the past and through my training and experience, drug user and dealer keep narcotics at their home.

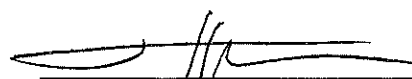
The Affiant believes that the above facts provide probable cause to believe that evidence of the crime of shooting may be inside the residence as well as a firearm involved.

Affiant prays unto the court that a search warrant be issued for the aforementioned described item.

Sworn and Subscribed Before Me
On 04/06/2023



MAGISTRATE/JUDGE
State of North Carolina
County of Catawba



AFFIANT
Inv. T. Johnson
Hickory Police Department
Hickory, North Carolina
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STATE OF NORTH CAROLINA

File No.

CATAWBA County

In The General Court Of Justice
☒ District ☐ Superior Court Division

IN THE MATTER OF:

Name

JAVARIO DAVON ROBINSON

INVENTORY OF ITEMS SEIZED PURSUANT TO SEARCH

G.S. 15A-223, -254, -257

I, the undersigned officer, executed a search of:

Person, Premises Or Vehicle Searched

430 S CENTER ST, HICKORY NC

Date Of Search

04/06/2023

This search was made pursuant to

- ☒ 1. a search warrant issued by: MAGISTRATE S. ROBERT
☐ 2. consent to search given by: _____
☐ 3. other legal justification for the search: _____

The following items were seized:

- BLACK WALLET (\$70 CASH)
- GLASS JAR CONTAINING MARIJUANA (3.98 GRAMS)
- BLACK POCKET KNIFE
- GREY SNEAKERS (SIZE 12)
- MISC. AMMO
- 12 GA SHOTGUN SHELL
- (6) .45 CAL BLAZER AMMO ROUNDS
- (2) BLACK RIFLE MAGAZINE
- COUNTERFEIT \$100 BILL
- BLACK EXTENDED MAGAZINE
- (3) .45 CAL SHELLS
- (2) .410 SHELLS
- TAURUS JUDGE REVOLVER (S/N GM731995)
- BLACK RUGER LCR .38 SPECIAL REVOLVER (S/N 541-88627)
- 9MM MAGAZINE WITH AMMO
- .22 HERITAGE ROUGH RIDER REVOLVER (S/N 1BH459907)
- BERETTA HANDGUN (9 MM) WITH LOADED MAGAZINE (S/N AXC004195)
- FEG HUNGARY 9MM PISTOL IN CASE MODEL PA-63 (S/N HB4583)
- (2) BLACK RIFLE MAGAZINE WITH AMMO
- CRACK COCAINE 16.41 GRAMS
- AVENGER WATER BONG

Original - File

Copy - For Search by Warrant of a Person, to Person from Whom Items Taken

Copy - For Search by Warrant of Vehicle/Premises, to Owner or Person in Apparent Control; If No Such Person Present, Leave Copy Affixed Thereon

Copies - For Search by Consent, to Person Giving Consent and Owner of Vehicle/Premises Searched, If Known

(Over)

AOC-CR-206, Rev. 3/16

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Items Seized Continued:

- ANDRIOD CELL PHONE BLACK CASE
- BLACK UNION WALL SAFE
- HSR 12 GA SHOTGUN SHORT BARREL (S/N NZ924014)
- MOSSBERG 12 GA PISTOL GRIP PUMP SHOTGUN (S/N R762110)
- DELPHI TACTICAL RIFLE WITH SCOPE (S/N DPF-150080)
- BUSHMASTER .556 RIFLE WITH SCOPE MODEL XM15-E25 (S/NL391310)

☐ 1. I left a copy of this inventory with the person named below, who is:

- ☐ a. the owner of the premises searched.
- ☐ b. the owner of the vehicle searched.
- ☐ c. the person in apparent control of the premises searched.
- ☐ d. the person in apparent control of the vehicle searched.
- ☐ e. the person from whom the items were taken.

☒ 2. As no person was present, I left a copy of this inventory:

- ☐ a. in the premises searched, identified on the reverse.
- ☐ b. in the vehicle searched, identified on the reverse.

Name And Address Of Person To Whom A Copy Of This Inventory Was Delivered, If Any

JAVARIO ROBINSON
430 SOUTH CENTER ST
HICKORY NC 28602

The law enforcement agency identified below will hold the seized property subject to court order.

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME		Name Of Law Enforcement Officer (type or print) T. JOHNSON
Date	Name (type or print) J WOOD	Signature Of Law Enforcement Officer
<input type="checkbox"/> Notary	Signature	Title Of Law Enforcement Officer INVESTIGATOR
SEAL	Date My Commission Expires	Name And Address Of Agency HICKORY POLICE DEPARTMENT
	County Where Notarized	347 2ND AVE SW HICKORY, NC 28602
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court <input checked="" type="checkbox"/> Magistrate		

ACKNOWLEDGMENT OF RECEIPT

I, the undersigned, received a copy of this inventory.

Date	Signature Of Person Receiving Inventory
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